

WEEKLY JOURNAL.

THURSDAY, JULY 25, 1861.

The present time is not an appropriate one for some general statement of high moral bearing directly on the current position of affairs. We are deeply penetrated with the conviction that our troubles are due largely to the prevalence of false constitutional views. The conviction of these pernicious heresies is the first step towards bringing up in certain quarters a just appreciation of the crisis now upon us. Perhaps the master heresy of this description is the notion of State supremacy. We propose for a moment to consider this heresy in some of its bearings on the present emergency.

The old Confederation was a "League"—so declared to be by its terms. It was a compact between thirteen States, whose citizens were not homogeneous in sentiment upon many subjects, but who were united together by a sense of common danger, and who agreed that, while those differences which would exist among them, they would cherish, with affection and throughout all the force of their history, a sentiment of nationality, as the basis of their security. The Constitution, as it now exists, grew out of this sentiment of nationality, and, in the aptest terms, has graced it with the most soulful care. The necessity for it had been made apparent by the inability of the confederation, and, therefore, all the defects of that system were removed by the new form of government through a few simple and necessary provisions.

It is declared—not that the old league shall longer exist, but that the Constitution shall be a law—"the supreme law of the land," and, in this sense, it is, manifestly, distinguished from the Articles of Confederation, which were not thus termed. It is not a law for one State only, nor for all the States, but, like the laws upon existing confederacies from whole groups of the United States. And it gives the like effect and authority to all resolutions made by the President and Senate, and all the laws enacted by Congress pursuant to it. The Constitution itself, the treaties and laws of the United States have, therefore, necessarily attached to them the important quality of supremacy, which, so long as they exist, cannot be abated without serious injury to the whole system. A law is a substantive thing of itself—nothing less than a rule of conduct for the government of all who are in subjection to it. This is the sense in which we must look upon the Constitution; for if we regard it as a mere "constitutional compact" between States which retain all their original sovereignty, and then connect to each of these States the right to terminate their connection with the Union, we take away from it entirely its substantial character. This would lead us back to the old Confederation again. We should only have exchanged one "type of bond" for another, with this difference, that the one which professedly designs to bind the States together by "bonds of steel" would prove to be for self-preservation the least effective of the two.

The preamble to the Constitution announces its object to be "to form a more perfect Union," for "ourselves and our posterity"; that is, a perpetual and imperishable Union for all the generations to come after. How can this be accomplished without preserving the character of the Constitution as a law for all the States, and their governments? If this is not so?

But this object is defeated and the whole system is destroyed the moment the right is conceded to a State to secede from the other States, and to exclude thereby the Constitution and the Federal authority from its borders. There are unquestionably most important and necessary rights of sovereignty reserved to the States, but this is not among them. The words are: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." This reservation in favor of the States embraces all the powers neither delegated nor prohibited.

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And then looking to the attitude of South Carolina, we see that her citizens as she has now done, to resist the authority of the United States, he said:

"But it is a dictate of a high duty obliga-

tion to announce that you cannot succeed,

if the United States must be excused. I have no right to do it, but it is the duty of the day to proclaim the condition of slavery and the consolidation of the Southern Confederacy."

Tacitly told that you that the right goes to the South Carolina, who, with the same

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